

## REMARKS

Please cancel Claims 5, 13 and 21 without prejudice. Claims 1-4, 6-12, 14-20 and 22-24 are pending. Claims 1-2, 8-10, 17-18 and 24 are amended herein. No new matter is added as a result of the claim amendments.

### 112 Rejections

The instant Office Action states that Claims 2, 10 and 18 are rejected under 35 U.S.C. § 112, second paragraph. Specifically, the instant Office Action states that Claims 2, 10 and 18 contain a trademark/trade name "Bluetooth." Applicants respectfully disagree. Applicants respectfully assert that the expressions of the claims are "names used in trade." The Examiner is respectfully directed to MPEP 608.01(v). Names used in trade are permissible in patent applications. Applicants respectfully note that some of the issued patent applications cited as references in the instant Office Action also include "Bluetooth" in the claims.

Claims are read as they would be interpreted by those of ordinary skill in the art at the time the invention was made (MPEP 2111.01 and MPEP 2173.01). The MPEP is replete with similar guidance. Applicants respectfully submit that the meanings of the expressions used in the claims are well-known and satisfactorily defined in the literature at the time of filing of the instant application.

Therefore, Applicants respectfully submit that the basis for rejection of Claims 2, 8 and 10 under 35 U.S.C. § 112, second paragraph, is traversed.

### 102 Rejections

The instant Office Action states that Claims 1-4, 6, 9-12, 14, 17-20 and 22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Suomela (U.S. Patent Application Publication No. 2003/0011467). The Applicants have reviewed the cited reference and respectfully submit that the present invention as recited in Claims 1-4, 6, 9-12, 14, 17-20 and 22 is not anticipated nor rendered obvious by Suomela.

Independent Claim 1 recites that an embodiment of the present invention is directed to a method comprising “exchanging passkeys with said device, said exchanging comprising sending a first passkey to said device and receiving a second passkey from said device.” Claims 2-4 and 6 are dependent on Claim 1 and recite additional limitations.

Independent Claim 9 recites that an embodiment of the present invention is directed to a system that implements a method comprising “receiving a passkey from said device during a first connection with said device.” Claims 10-12 and 14 are dependent on Claim 9 and recite additional limitations.

Independent Claim 17 recites that an embodiment of the present invention is directed to a computer-usable medium for performing a method comprising “exchanging passkeys with said device, said exchanging comprising sending a first passkey to said device and receiving a second passkey from said device.” Claims 18-20 and 22 are dependent on Claim 17 and recite additional limitations.

Applicants understand Suomela to show only a password located on a server that is interconnected with a “ubiquitous device.” Applicants respectfully note that the role played by the password is not described by Suomela. Nevertheless, Applicants respectfully submit that Suomela does not show or suggest a first password that is associated with the server and a second password that is associated with the ubiquitous device, nor does Suomela show or suggest that the server and the ubiquitous device exchange passwords. Furthermore, Applicants respectfully submit that Suomela does not show or suggest that the server receives a password from the ubiquitous device, nor does Suomela show or suggest that a password received from the ubiquitous device is stored.

Therefore, Applicants respectfully submit that Suomela does not show or suggest the claimed features of the present invention as recited in independent Claims 1, 9 and 17, and that these claims are in condition for allowance. Applicants also respectfully submit that Suomela does not show or suggest the additional claimed features of the present invention as recited in Claims 2-4 and 6 dependent on Claim 1, Claims 10-12 and 14 dependent on Claim 9, and Claims 18-20 and 22 dependent on Claim 17, and that Claims 2-4, 6, 10-12, 14, 18-20 and 22 are in condition for allowance as being dependent on allowable base claims. As such, the Applicants respectfully assert that the basis for rejecting Claims 1-4, 6, 9-12, 14, 17-20 and 22 under 35 U.S.C. § 102(e) is traversed.

### 103 Rejections

#### Claims 7, 15 and 23

The instant Office Action states that Claims 7, 15 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suomela in view of Baptist et al. ("Baptist;" U.S. Patent No. 5,465,392). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 7, 15 and 23 is not anticipated nor rendered obvious by Suomela and Baptist, alone or in combination.

Claims 7, 15 and 23 are dependent on independent Claims 1, 9 and 17, respectively, and recite additional limitations. As presented above, Applicants respectfully submit that Suomela does not show or suggest the present invention as recited in Claims 1, 9 and 17.

Furthermore, Applicants respectfully submit that Baptist does not overcome the shortcomings of Suomela. Specifically, Applicants respectfully submit that Baptist, alone or in combination with Suomela, does not show or suggest "exchanging passkeys with said device, said exchanging comprising sending a first passkey to said device and receiving a second passkey from said device" as recited in independent Claim 1. Also, Applicants respectfully submit that Baptist, alone or in combination with Suomela, does not show or suggest "receiving a passkey from said device during a first connection with said device" as recited in independent Claim 9. Moreover, Applicants respectfully submit that Baptist, alone or in combination with Suomela, does not show or suggest "exchanging passkeys with said device, said exchanging

comprising sending a first passkey to said device and receiving a second passkey from said device” as recited in independent Claim 17.

Thus, Applicants respectfully submit that independent Claims 1, 9 and 17 are not shown or suggested by Suomela and Baptist, alone or in combination, and Applicants further submit that Claims 7, 15 and 23 are therefore also not shown by Suomela and Baptist, alone or in combination, because Claims 7, 15 and 23 recite additional limitations. As such, the Applicants respectfully assert that the basis for rejecting Claims 7, 15 and 23 under 35 U.S.C. § 103(a) is traversed.

#### Claims 8, 16 and 24

The instant Office Action states that Claims 8, 16 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suomela in view of Sormunen et al. (“Sormunen,” U.S. Patent No. 6,112,078). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 8, 16 and 24 is not anticipated nor rendered obvious by Suomela and Sormunen, alone or in combination.

Claims 8, 16 and 24 are dependent on independent Claims 1, 9 and 17, respectively, and recite additional limitations. As presented above, Applicants respectfully submit that Suomela does not show or suggest the present invention as recited in Claims 1, 9 and 17.

Furthermore, Applicants respectfully submit that Sormunen does not overcome the shortcomings of Suomela. Specifically, Applicants respectfully

submit that Sormunen, alone or in combination with Suomela, does not show or suggest “exchanging passkeys with said device, said exchanging comprising sending a first passkey to said device and receiving a second passkey from said device” as recited in independent Claim 1. Also, Applicants respectfully submit that Sormunen, alone or in combination with Suomela, does not show or suggest “receiving a passkey from said device during a first connection with said device” as recited in independent Claim 9. Moreover, Applicants respectfully submit that Sormunen, alone or in combination with Suomela, does not show or suggest “exchanging passkeys with said device, said exchanging comprising sending a first passkey to said device and receiving a second passkey from said device” as recited in independent Claim 17.

Thus, Applicants respectfully submit that independent Claims 1, 9 and 17 are not shown or suggested by Suomela and Sormunen, alone or in combination, and Applicants further submit that Claims 8, 16 and 24 are therefore also not shown by Suomela and Sormunen, alone or in combination, because Claims 8, 16 and 24 recite additional limitations. As such, the Applicants respectfully assert that the basis for rejecting Claims 8, 16 and 24 under 35 U.S.C. § 103(a) is traversed.

#### Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

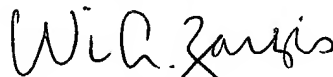
Based on the arguments presented above, Applicants respectfully assert that Claims 1-4, 6-12, 14-20 and 22-24 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

Applicants have reviewed the references cited but not relied upon. Applicants did not find these references to show or suggest the present claimed invention: U.S. Patent Nos. 6,600,902, 6,574,455, 6,721,555 and 6,766,160.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP



William A. Zarbis  
Reg. No. 46,120

Date: 11/12/04

Two North Market Street  
Third Floor  
San Jose, California 95113  
(408) 938-9060